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 LES JANKEY
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 ENFORCEMENT, EDUCATION,
 SERVICES: HELPING YOU
 HELP OTHERS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

LES JANKEY, an individual; and
 DISABILITY RIGHTS ENFORCEMENT,
 EDUCATION, SERVICES: HELPING
 YOU HELP OTHERS, a California public
 benefit corporation,
 Plaintiffs,
 v.
 RED JACK SALOON; and NORMA
 PALADINI,
 Defendants.

CASE NO. CV-08-2978-JCS

**STIPULATION OF DISMISSAL AND
 [PROPOSED] ORDER THEREON**

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own costs and attorneys’ fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

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1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
2 their designated counsel that the above-captioned action be and hereby is dismissed with
3 prejudice pursuant to Federal Rules of Civil Procedure section 41(a)(1).
4

5 Dated: March 2, 2009

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

6
7 By: /s/

8 Thomas E. Frankovich
9 Attorney for Plaintiffs LES JANKEY and
10 DISABILITY RIGHTS, ENFORCEMENT, EDUCATION,
11 SERVICES: HELPING YOU HELP OTHERS, a California
12 public benefit corporation

13 Dated: March 3, 2009

DAVID P. BOROVSKY,
LONG & LEVIT LLP

14
15 By: 

16 David P. Borovsky
17 Attorney for Defendants RED JACK SALOON; and
18 NORMA PALADINI

19 **ORDER**

20 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
21 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for
22 the purpose of enforcing the parties' Settlement Agreement and General Release should such
23 enforcement be necessary.
24

25 DATED: March 6, 2009

26 HONORABLE JOSEPH C. SPERO
27 United States Magistrate Judge
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